

111TH CONGRESS
1ST SESSION

H. R. 3130

To establish expanded learning time initiatives, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 8, 2009

Mr. PAYNE (for himself and Mr. GEORGE MILLER of California) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To establish expanded learning time initiatives, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Time for Innovation
5 Matters in Education Act of 2009”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are—

8 (1) to increase opportunities for students in
9 high-need schools to participate in expanded learning
10 time initiatives with expanded school days, expanded

1 school weeks, or expanded school years, in order to
2 increase student academic achievement and student
3 engagement and success in schools by providing—

4 (A) students with more in-depth and rig-
5 orous learning opportunities in reading or lan-
6 guage arts, mathematics, science, history and
7 civics, and other core academic subjects;

8 (B) students with more time for additional
9 subjects and enrichment activities that con-
10 tribute to a well-rounded education, which may
11 include music and the arts, physical education,
12 service-learning, and experiential and work-
13 based learning opportunities (such as commu-
14 nity service, learning apprenticeships, intern-
15 ships, and job shadowing); and

16 (C) teachers with increased opportunities
17 to work collaboratively, and to participate in
18 professional planning, within and across grades
19 and subjects to improve instruction;

20 (2) to improve teaching and learning by using
21 expanded learning, including school redesign, to—

22 (A) create a seamless program or cur-
23 riculum with regular and expanded teaching
24 and learning opportunities within a school pro-

1 gram that is comprehensively redesigned for
2 students and teachers; and

3 (B) improve access to instructional sup-
4 ports for academically struggling students;

5 (3) to encourage States, local educational agen-
6 cies, and schools to develop high-quality, innovative,
7 replicable, and sustainable initiatives to expand
8 learning time, including using school redesign; and

9 (4) to create partnerships between schools and
10 local educational agencies, and external organiza-
11 tions such as community-based organizations, insti-
12 tutions of higher education, community learning cen-
13 ters, cultural organizations, and health and mental
14 health agencies to provide expanded learning oppor-
15 tunities for students.

16 **SEC. 3. DEFINITIONS AND REFERENCES.**

17 (a) DEFINITIONS.—In this Act:

18 (1) COMMUNITY LEARNING CENTER.—The term
19 “community learning center” means a community
20 learning center, as defined in section 4201(b) of the
21 Elementary and Secondary Education Act of 1965
22 (20 U.S.C. 7171(b)), that receives assistance under
23 part B of title IV of that Act.

24 (2) ELEMENTARY AND SECONDARY EDUCATION
25 TERMS.—The terms “community-based organiza-

tion”, “core academic subjects”, “elementary school”, “highly qualified”, “institution of higher education”, “local educational agency”, “other staff”, “parent”, “professional development”, “secondary school”, “Secretary”, “State”, and “State educational agency” have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(3) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) 1 or more local educational agencies;

or

(B) a partnership that includes 1 or more local educational agencies and 1 or more of the following:

(i) A nonprofit community-based organization, such as an organization with demonstrated experience in expanding learning opportunities and helping schools redesign their educational programs to better meet student needs, or an organization focused on alternative learning or dropout prevention.

(ii) An institution of higher education.

1 (iii) A community learning center or
2 entity carrying out an after-school pro-
3 gram.

4 (iv) Any other public or nonprofit en-
5 tity.

6 (4) EXPANDED LEARNING TIME INITIATIVE.—

7 The term “expanded learning time initiative” means
8 a program that—

9 (A) uses an expanded school day, expanded
10 school week, or expanded school year schedule,
11 that increases the total number of school hours
12 for the school year at a school by not less than
13 300 hours—

14 (i) compared to the school year that is
15 standard for the local educational agency
16 serving the school, for schools of the com-
17 parable level (elementary school, middle
18 school, or high school, as defined under ap-
19 plicable State law); or

20 (ii) in the case of a charter school
21 that is its own local educational agency,
22 compared to the school year that is stand-
23 ard for local educational agencies in the
24 surrounding area, for schools of the com-
25 parable level;

1 (B) uses the expanded learning time in-
2 volved to redesign the school's program in a
3 manner that includes additional time—

4 (i) for academic work, and to support
5 innovation in teaching, to improve the pro-
6 ficiency of participating students, particu-
7 larly struggling students, in reading or lan-
8 guage arts, mathematics, science, history
9 and civics, and other core academic sub-
10 jects;

11 (ii) to advance student learning for all
12 students, including those who already meet
13 or exceed student academic achievement
14 standards, as measured by State academic
15 assessments required under section
16 1111(b)(3) of the Elementary and Sec-
17 ondary Education Act of 1965 (20 U.S.C.
18 6311(b)(3));

19 (iii) for additional subjects and en-
20 richment activities that contribute to a
21 well-rounded education, which may include
22 music and the arts, physical education,
23 service-learning, and experiential and
24 work-based learning opportunities (such as

1 community service, learning apprentice-
2 ships, internships, and job shadowing); and
3 (iv) for teachers for collaboration, and
4 professional planning, within and across
5 grades and subjects; and

6 (C)(i) in the case of a school that is not a
7 high school, will expand learning time for all
8 students in all grade levels in the school; or

9 (ii) in the case of a high school, will ex-
10 pand learning time for not less than 1 entire
11 grade level of students in the school, and if the
12 school expands learning time for additional stu-
13 dents under this Act, will expand learning time
14 for additional entire grade levels.

15 (5) EXPANDED LEARNING TIME SCHOOL.—The
16 term “expanded learning time school” means a
17 school that has implemented an expanded learning
18 time initiative using funds received under this Act.

19 (6) GRADUATION RATE.—The term “graduation
20 rate” means a graduation rate as defined in section
21 1111(b)(2)(C)(vi) of the Elementary and Secondary
22 Education Act of 1965 (20 U.S.C.
23 6311(b)(2)(C)(vi)) and clarified by section 200.19(b)
24 of title 34, Code of Federal Regulations, or any cor-
25 responding similar regulation or ruling.

1 (7) HIGH-NEED SCHOOL.—

2 (A) IN GENERAL.—The term “high-need
3 school” means—

4 (i) a public elementary school or sec-
5 ondary school at which 50 percent or more
6 of the students are eligible to be counted
7 under 1 of the measures of poverty de-
8 scribed in section 1113(a)(5) of the Ele-
9 mentary and Secondary Education Act of
10 1965 (20 U.S.C. 6313(a)(5)); or

11 (ii) a school for which an eligible enti-
12 ty has obtained approval under subpara-
13 graph (B).

14 (B) SPECIAL RULE FOR SECONDARY
15 SCHOOLS.—An eligible entity seeking a grant
16 from the Secretary or a subgrant from a State
17 educational agency under this Act may apply to
18 the Secretary or State educational agency, re-
19 spectively, for approval to treat a public sec-
20 ondary school as a high-need school under this
21 Act. The application shall include information,
22 supplied by the secondary school, explaining
23 why the school should be treated as a high-need
24 school. Such information shall include informa-
25 tion on the number and percentage of students

1 attending such school who are low-income stu-
2 dents, the graduation rate for such school, and
3 information about the student academic
4 achievement of students at such school.

5 (8) HIGH SCHOOL.—The term “high school”
6 means a public high school, as defined under appli-
7 cable State law.

8 (9) LOW-INCOME STUDENT.—The term “low-in-
9 come student” means a student who is eligible to be
10 counted under 1 of the measures of poverty de-
11 scribed in section 1113(a)(5) of the Elementary and
12 Secondary Education Act of 1965 (20 U.S.C.
13 6313(a)(5)).

14 (10) SCHOOL REDESIGN.—The term “rede-
15 sign”, used with respect to a school or school pro-
16 gram, means a process to significantly reconfigure a
17 school’s or program’s schedule in a manner that
18 more effectively utilizes students’ and teachers’ time,
19 including providing additional time—

20 (A) for academic work and to support in-
21 novation in the teaching of core academic sub-
22 jects;

23 (B) for teachers to collaborate and conduct
24 professional planning; and

1 (C) for innovative approaches to providing
2 academic, experiential, and work-based learning
3 opportunities.

4 (b) REFERENCES.—In this Act—

5 (1) a reference to a school day, school week, or
6 school year includes a reference to a combination
7 thereof; and

8 (2) a reference to a school day, school week, or
9 school year program (or schedule) includes a ref-
10 erence to a combination thereof.

11 **SEC. 4. PROGRAM AUTHORIZED.**

12 (a) GRANTS TO STATE EDUCATIONAL AGENCIES.—
13 From the amount appropriated under section 11, the Sec-
14 retary is authorized to award grants on a competitive basis
15 under section 5 to State educational agencies having appli-
16 cations approved pursuant to section 5(c) to enable such
17 agencies to award subgrants on a competitive basis to eli-
18 gible entities as described in sections 6 and 7.

19 (b) RESERVATION.—From the amount made avail-
20 able under this Act for each fiscal year, the Secretary may
21 reserve—

22 (1) 3 percent of the amount to carry out the ac-
23 tivities described in section 9; and

24 (2) from the remainder—

1 (A) not more than 10 percent of the re-
2 mainder to award grants under section 8; and

3 (B) not more than \$1,000,000 to carry out
4 the review of applications for, selection of re-
5 cipients of, and distribution of, grants to State
6 educational agencies and eligible entities under
7 sections 5 and 8.

8 **SEC. 5. GRANTS TO STATE EDUCATIONAL AGENCIES.**

9 (a) GRANTS.—

10 (1) IN GENERAL.—The Secretary is authorized
11 to award grants to State educational agencies on a
12 competitive basis to assist the agencies in developing
13 State expanded learning time grant programs in ac-
14 cordance with this Act, which shall involve awarding
15 subgrants on a competitive basis to eligible entities
16 in accordance with this Act, to plan and implement
17 expanded learning time initiatives in high-need
18 schools.

19 (2) DISTRIBUTION.—The Secretary shall ensure
20 that grants awarded under this section and section
21 8 are distributed to State educational agencies and
22 eligible entities from diverse geographical regions.

23 (b) DURATION.—The Secretary shall award each
24 grant described in subsection (a) for a period of 6 years,

1 and may renew each grant for additional periods of not
2 more than 6 years.

3 (c) APPLICATIONS.—A State educational agency that
4 desires to receive a grant under this section shall submit
5 an application to the Secretary at such time and in such
6 manner as the Secretary may require, containing—

7 (1) a description of how the State educational
8 agency will use grant funds under this section;

9 (2) a description of the peer review process and
10 selection criteria the State educational agency will
11 use to evaluate applications from, and select, eligible
12 entities to receive expanded learning time planning
13 and implementation subgrants, which shall include a
14 description of how the State educational agency will
15 assess the capacity of eligible entities to plan and
16 implement high-quality expanded learning time ini-
17 tiatives and a description of how the State edu-
18 cational agency will prioritize applications from eligi-
19 ble entities that meet the requirements of section
20 6(f);

21 (3) a description of the process the State edu-
22 cational agency will use to encourage local edu-
23 cational agencies and schools, especially local edu-
24 cational agencies and schools with high percentages

1 of low-income students, to implement expanded
2 learning time initiatives;

3 (4) a description of how the State educational
4 agency will provide or has provided technical assist-
5 ance and support to eligible entities, local edu-
6 cational agencies, and schools receiving funds
7 through the State educational agency under this Act,
8 in implementing expanded learning time initiatives,
9 including—

10 (A) assisting the local educational agencies
11 in identifying potential partners that are exter-
12 nal organizations with demonstrated experience
13 in expanding learning opportunities and helping
14 schools redesign their educational programs to
15 better meet student needs; and

16 (B) assisting the eligible entities, local edu-
17 cational agencies, and schools in collecting, re-
18 viewing, and analyzing data on student aca-
19 demic achievement;

20 (5) a description of how the State educational
21 agency will use the expanded learning time grant
22 program involved, and lessons learned from such
23 program, to improve student academic achievement
24 in schools that have not made adequate yearly
25 progress under section 1111(b)(2) of the Elementary

1 and Secondary Education Act of 1965 (20 U.S.C.
2 6311(b)(2)) for 2 or more years, and improve such
3 schools;

4 (6) a description of how the State educational
5 agency will evaluate, on a regular basis, activities
6 carried out by eligible entities receiving funds
7 through the State educational agency under this Act;

8 (7) a description of how the State educational
9 agency will collect, analyze, and disseminate, to local
10 educational agencies and other schools within the
11 State, information on best practices learned from
12 schools receiving funding under this Act, including
13 best practices for improving student academic
14 achievement in schools that have not made adequate
15 yearly progress under section 1111(b)(2) of the Ele-
16 mentary and Secondary Education Act of 1965 (20
17 U.S.C. 6311(b)(2)) for 2 or more years, and improve
18 such schools;

19 (8) an assurance that the State educational
20 agency, and any eligible entity receiving funds
21 through the State educational agency under this Act
22 will, if requested, participate in the evaluation under
23 section 9(b)(3);

24 (9) information identifying the per-pupil fund-
25 ing amount range the State shall use in establishing

1 the correct amount of subgrants under section 7 to
2 local educational agencies; and

3 (10) any other information that the Secretary
4 may reasonably require.

5 (d) AUTHORIZED ACTIVITIES.—

6 (1) DISTRIBUTION.—A State educational agen-
7 cy that receives a grant under this section—

8 (A) may reserve not more than 10 percent
9 of the grant funds to carry out the activities de-
10 scribed in paragraphs (2) through (4); and

11 (B) shall use an amount consisting of not
12 less than 90 percent of the grant funds to
13 award subgrants, on a competitive basis, to eli-
14 gible entities under section 6 or 7 to enable the
15 eligible entities to carry out the authorized ac-
16 tivities described in section 6(e) or 7(f), except
17 that not more than 10 percent of that amount
18 shall be used for subgrants under section 6.

19 (2) STATE-LEVEL PLANNING AND ADMINISTRA-
20 TION.—A State educational agency that receives a
21 grant under this section may use grant funds re-
22 served under paragraph (1)(A) for planning and ad-
23 ministration, including—

24 (A) evaluating applications from eligible
25 entities;

1 (B) administering the distribution of sub-
2 grants to eligible entities; and

3 (C) assessing and evaluating, on a regular
4 basis, activities carried out by eligible entities
5 receiving funds through the State educational
6 agency under this Act.

7 (3) TECHNICAL ASSISTANCE FOR ELIGIBLE EN-
8 TITIES.—A State educational agency that receives a
9 grant under this section may use grant funds re-
10 served under paragraph (1)(A) for technical assist-
11 ance, including—

12 (A) assisting eligible entities in planning
13 and implementing expanded learning time ini-
14 tiatives, including assisting local educational
15 agencies in identifying potential partners that
16 are external organizations with demonstrated
17 experience in expanding learning opportunities
18 and helping schools redesign their educational
19 programs to better meet student needs;

20 (B) implementing a program of profes-
21 sional development for teachers and administra-
22 tors, in schools that receive funding under this
23 Act, that prepares teachers and administrators
24 to implement the authorized activities described
25 in section 7(f); and

1 (C) identifying best practices for using ex-
2 panded learning time to improve student aca-
3 demic achievement in schools that have not
4 made adequate yearly progress under section
5 1111(b)(2) of the Elementary and Secondary
6 Education Act of 1965 (20 U.S.C. 6311(b)(2))
7 for 2 or more years, and providing technical as-
8 sistance to local educational agencies in using
9 such best practices to implement expanded
10 learning time in such schools.

11 (4) EVALUATION AND REPORTING.—A State
12 educational agency that receives a grant under this
13 section shall annually prepare and submit to the
14 Secretary a report that contains all reports sub-
15 mitted by eligible entities under section 7(g), and an
16 evaluation of progress made by eligible entities in
17 improving—

18 (A) student academic achievement as
19 measured by State academic assessments re-
20 quired under section 1111(b)(3) of the Elemen-
21 tary and Secondary Education Act of 1965 (20
22 U.S.C. 6311(b)(3));

23 (B) for high schools, graduation rates; and

1 (C) performance on a set of comprehensive
2 school performance indicators that may in-
3 clude—

4 (i) student attendance;

5 (ii) as appropriate, rate of earned on-
6 time promotion from grade to grade;

7 (iii) percentage of students failing a
8 credit-bearing mathematics, reading or lan-
9 guage arts, or science course, or failing 2
10 or more courses in any subjects; and

11 (iv) for high schools—

12 (I) percentage of students taking
13 a college preparatory curriculum; or

14 (II) student rates of college en-
15 rollment, persistence, and attainment
16 of an associate or baccalaureate de-
17 gree.

18 (e) MATCH.—

19 (1) IN GENERAL.—Each State educational
20 agency that receives a grant under this section shall
21 provide matching funds to carry out the activities
22 supported by the grant in an amount not less
23 than—

1 (A) for the first year of an initial grant
2 under this section, 10 percent of the cost of the
3 activities;

4 (B) for the second year of such a grant, 20
5 percent of the cost of the activities;

6 (C) for the third or fourth year of such a
7 grant, 25 percent of the cost of the activities;
8 and

9 (D) for the fifth year of such a grant or
10 any year of a subsequent grant under this sec-
11 tion, 30 percent of the cost of the activities.

12 (2) MATCHING FUNDS.—The State educational
13 agency may provide the matching funds in cash or
14 in kind, fairly evaluated, including plant, equipment,
15 or services, but may not provide more than 50 per-
16 cent of the matching funds in kind. The State edu-
17 cational agency may provide the matching funds
18 from State, local, or private sources.

19 (f) SUPPLEMENT NOT SUPPLANT.—Funds used to
20 make grants under this Act shall be used to supplement
21 and not supplant other Federal, State, and local public
22 funds expended to plan or implement expanded learning
23 time initiatives.

1 **SEC. 6. EXPANDED LEARNING TIME PLANNING SUB-**
2 **GRANTS.**

3 (a) SUBGRANTS AUTHORIZED.—A State educational
4 agency receiving a grant under section 5 is authorized to
5 award expanded learning time planning subgrants, on a
6 competitive basis, to eligible entities.

7 (b) DURATION.—The State educational agency shall
8 award each subgrant described in subsection (a) for a pe-
9 riod of not more than 1 year. Such grants shall be non-
10 renewable.

11 (c) SUBGRANT AMOUNT.—The State educational
12 agency shall award each subgrant described in subsection
13 (a) in an amount that is not less than \$15,000 and not
14 more than \$60,000.

15 (d) APPLICATIONS.—An eligible entity that desires to
16 receive an expanded learning time planning subgrant pur-
17 suant to this section shall submit an application to the
18 State educational agency at such time and in such manner
19 as the agency may require, containing—

20 (1) a description of the eligible entity's proposal
21 to establish expanded learning time initiatives, in-
22 cluding school redesign, at high-need schools served
23 by the eligible entity;

24 (2) information identifying the number of high-
25 need schools the eligible entity proposes to serve
26 using funds made available under this Act, and a de-

1 description of the process, considerations, and criteria
2 the eligible entity will use to select schools to imple-
3 ment the expanded learning time initiatives—

4 (A) which considerations shall include the
5 percentage of low-income students attending
6 each school; and

7 (B) which criteria shall include the local
8 educational agency's determination of the ca-
9 pacity of each school to implement successfully
10 a proposed expanded learning time initiative;

11 (3) a description of the process by which the el-
12 igible entity will ensure the meaningful involvement
13 of teachers, teacher organizations, parents, and com-
14 munity-based organizations in the development of
15 the expanded learning time initiatives;

16 (4) a description of how the local educational
17 agency involved and participating high-need schools
18 will work with external organizations that comprise
19 the eligible entity involved, and any other external
20 organizations as applicable, such as a community-
21 based organization, an institution of higher edu-
22 cation, a community learning center, an entity car-
23 rying out an after-school program, or an organiza-
24 tion that will provide students with internships and

1 work-based learning opportunities, to develop and
2 implement expanded learning time initiatives;

3 (5) an assurance that the eligible entity has the
4 infrastructure in place to collect the data necessary
5 for an evaluation of the impact of the expanded
6 learning time initiatives on student academic
7 achievement, graduation rates, and indicators de-
8 scribed in section 5(d)(4), to be submitted in the re-
9 port described in section 7(g); and

10 (6) an assurance that each participating local
11 educational agency will use the subgrant period to
12 negotiate and reach an agreement with the recog-
13 nized representatives of the employees of each par-
14 ticipating high-need school served by the agency or,
15 where there is no such representative, with the em-
16 ployees of each participating high-need school served
17 by the agency.

18 (e) AUTHORIZED ACTIVITIES.—An eligible entity re-
19 ceiving a subgrant under this section shall use the
20 subgrant funds to develop a detailed plan to implement
21 expanded learning time initiatives at high-need schools
22 served by the eligible entities as specified in this section.

23 (f) PRIORITY.—In awarding subgrants under this
24 section, a State educational agency shall give priority to
25 an application from an eligible entity if—

1 (1) for each local educational agency in the eli-
 2 gible entity, a high percentage of the students served
 3 by the local educational agency are eligible to be
 4 counted under section 1124(c)(1)(A) of the Elemen-
 5 tary and Secondary Education Act of 1965 (20
 6 U.S.C. 6333(c)(1)(A)); and

7 (2) the eligible entity includes a nonprofit com-
 8 munity-based organization, such as an organization
 9 with demonstrated experience in expanding learning
 10 opportunities and helping schools redesign their edu-
 11 cational programs to better meet student needs, or
 12 an organization focused on alternative learning or
 13 dropout prevention.

14 **SEC. 7. EXPANDED LEARNING TIME IMPLEMENTATION**
 15 **SUBGRANTS.**

16 (a) **SUBGRANTS AUTHORIZED.**—A State educational
 17 agency receiving a grant under section 5 is authorized to
 18 award expanded learning time implementation subgrants,
 19 on a competitive basis, to eligible entities that have re-
 20 ceived subgrants pursuant to section 6.

21 (b) **DURATION.**—The State educational agency shall
 22 award each subgrant described in subsection (a) for a pe-
 23 riod of not less than 5 years, and may renew each
 24 subgrant for additional periods of not more than 5 years.

1 (c) SUBGRANT AMOUNT.—In awarding a subgrant
2 described in subsection (a) to an eligible entity, a State
3 educational agency shall determine the amount of the
4 subgrant by taking into account the number of students
5 expected to participate in the expanded learning time ini-
6 tiatives involved, as specified in the application submitted
7 by the eligible entity under subsection (d), and the approx-
8 imate per student cost of implementing a high-quality ex-
9 panded learning time initiative.

10 (d) APPLICATIONS.—An eligible entity that desires to
11 receive an expanded learning time implementation
12 subgrant pursuant to this section shall submit an applica-
13 tion to the State educational agency at such time and in
14 such manner as the agency may require, containing—

15 (1) an identification and description of each
16 high-need school (selected in accordance with the
17 process, considerations, and criteria described in sec-
18 tion 6(d)(2)) that will receive funding from the eligi-
19 ble entity to participate in an expanded learning
20 time initiative, including information identifying the
21 grade levels at the school for which the expanded
22 learning time initiative will be implemented (which
23 shall be the grade levels described in paragraph (1)
24 or (2), as appropriate, of subsection (g)), the num-
25 ber of students that will be served through the ini-

1 initiative at the school, and student academic achieve-
2 ment, demographic, and socioeconomic data for stu-
3 dents at the school;

4 (2) a description of how the eligible entity will
5 implement at each such school an expanded learning
6 time initiative that involves an expanded school day,
7 expanded school week, or expanded school year
8 schedule, and school redesign at each such school
9 consistent with section 3(a)(4), which description
10 shall include—

11 (A) a description of how the expanded
12 learning time schedule will expand learning
13 time by not less than 300 hours, consistent with
14 section 3(a)(4); and

15 (B) a description of how the eligible entity
16 will meet each of the other requirements of the
17 definition in section 3(a)(4);

18 (3) a description of the plan the eligible entity
19 will use to evaluate, on an annual basis, the impact
20 of each expanded learning time initiative on meas-
21 ures of student academic achievement and student
22 engagement and success, and other appropriate
23 measures;

24 (4) a description of the additional subjects and
25 enrichment activities that will be offered at each

1 such school that contribute to a well-rounded edu-
2 cation;

3 (5) a comprehensive plan, developed in collabo-
4 ration with teachers and, as appropriate, other staff,
5 for professional development at each such school
6 that includes a description of intended changes in
7 teaching practices and curriculum delivery that will
8 result in improved student academic achievement
9 and student engagement and success;

10 (6) a description of how the eligible entity will
11 use the expanded learning time initiatives, and les-
12 sons learned from such initiatives, to improve stu-
13 dent academic achievement in schools that have not
14 made adequate yearly progress under section
15 1111(b)(2) of the Elementary and Secondary Edu-
16 cation Act of 1965 (20 U.S.C. 6311(b)(2)) for 2 or
17 more consecutive years;

18 (7) evidence of an agreement reached between
19 each participating local educational agency and the
20 exclusive recognized representative of the employees
21 of each participating high-need school served by the
22 agency, for employees to work the expanded learning
23 time schedules involved or, where there is no such
24 representative, evidence of an agreement supported
25 (by at least two-thirds) of the employees of each par-

1 ticipating high-need school served by the agency, to
2 work the expanded learning time schedules involved;

3 (8) a description of how the local educational
4 agency involved and participating high-need schools
5 will work with external organizations that comprise
6 the eligible entity involved, and any other external
7 organizations as applicable, such as a community-
8 based organization, an institution of higher edu-
9 cation, a community learning center, an entity car-
10 rying out an after-school program, or an organiza-
11 tion that will provide students with internships and
12 work-based learning opportunities, to implement ex-
13 panded learning time initiatives, including a descrip-
14 tion of the specific roles and responsibilities of such
15 external organizations;

16 (9) a description of the process by which the el-
17 ible entity ensured the meaningful involvement of
18 teachers, teacher organizations where applicable, ad-
19 ministrators, parents, and community-based organi-
20 zations in the development (including the design) of
21 the expanded learning time initiatives;

22 (10) an assurance that the eligible entity will
23 work with a community learning center, or an entity
24 carrying out an after-school program, where appro-
25 priate, to provide after-school programs for students

1 participating in the expanded learning time initia-
2 tives after the conclusion of the school day; and

3 (11) an assurance that the eligible entity will
4 report to the State educational agency all data nec-
5 essary for the State educational agency's report,
6 under section 5(d)(4).

7 (e) PRIORITY.—In awarding subgrants under this
8 section, a State educational agency shall give priority to
9 an application from an eligible entity that meets the cri-
10 teria described in section 6(f).

11 (f) AUTHORIZED ACTIVITIES.—An eligible entity re-
12 ceiving a subgrant under this section shall use the
13 subgrant funds to implement high-quality expanded learn-
14 ing time initiatives, at high-need schools served by such
15 eligible entity, that are consistent with section 3(a)(4).

16 (g) REPORTS BY ELIGIBLE ENTITIES.—Each eligible
17 entity receiving a subgrant under this section for expanded
18 learning time initiatives shall, not later than 1 year after
19 the first day of the first school year in which the expanded
20 learning time initiatives were implemented, prepare and
21 submit to the State educational agency a report—

22 (1) containing a detailed description of the ex-
23 panded learning time initiatives carried out;

1 (2) regarding the technical assistance the eligi-
2 ble entity provided to expanded learning time
3 schools;

4 (3) for each expanded learning time school—

5 (A) regarding the budget for, and actual
6 expenses associated with carrying out, the ex-
7 panded learning time initiatives in the first
8 school year; and

9 (B) regarding the amount of time by which
10 the school day, school week, or school year, was
11 expanded in the school; and

12 (4) containing information on the impact of the
13 expanded learning time initiatives, including data on
14 student academic achievement as measured by State
15 academic assessments required under section
16 1111(b)(3) of the Elementary and Secondary Edu-
17 cation Act of 1965 (20 U.S.C. 6311(b)(3)), gradua-
18 tion rates, and indicators described in section
19 5(d)(4).

20 (h) PUBLICATION AND AVAILABILITY OF REPORT
21 SUMMARIES.—The Secretary shall publish and make wide-
22 ly available to the public, including through a website or
23 other means, a summary of the eligible entity reports re-
24 ceived under section 5(d)(4) and subsection (g).

1 **SEC. 8. GRANTS TO ELIGIBLE ENTITIES.**

2 (a) IN GENERAL.—The Secretary may award a grant
3 under this section to an eligible entity that serves 1 or
4 more areas within 1 or more States.

5 (b) PLANNING AND IMPLEMENTATION GRANTS.—
6 The Secretary may award a planning grant under sub-
7 section (a), to the eligible entity, to carry out the activities
8 described in section 6(e). In the case of an eligible entity
9 that has received a planning grant under subsection (a),
10 the Secretary may award an implementation grant under
11 subsection (a) to the eligible entity, to carry out the activi-
12 ties described in section 7(f).

13 (c) APPLICATIONS.—To be qualified to receive a
14 grant under subsection (a), an eligible entity shall submit
15 to the Secretary an application that contains (for a plan-
16 ning grant) information describing how the entity will un-
17 dertake the activities described in section 5(c)(7) and the
18 information described in section 6(d) and (for an imple-
19 mentation grant) the information described in section
20 7(d), other than paragraph (11) of that section. In deter-
21 mining whether to award a grant under subsection (a) to
22 an eligible entity, the Secretary shall give priority to an
23 eligible entity that meets the criteria described in section
24 6(f).

1 (d) PERIOD; AMOUNT.—The subgrant period and
2 amount described in subsections (b) and (c) of section 6
3 or 7, as appropriate, shall apply to the grant.

4 (e) AUTHORITIES; RESPONSIBILITIES.—The eligible
5 entity shall have the same authorities and responsibilities
6 under this Act as an eligible entity that receives a
7 subgrant under section 6 or 7, as appropriate. In carrying
8 out the report responsibilities described in section 7(g),
9 the eligible entity shall submit the reports to the Sec-
10 retary.

11 (f) MATCH.—

12 (1) IN GENERAL.—Each eligible entity that re-
13 ceives an implementation grant under this section
14 shall comply with the matching requirements de-
15 scribed in section 5(e)(1), except that references in
16 that section to a grant under section 5 shall be con-
17 sidered to be references to an implementation grant
18 under this section.

19 (2) MATCHING FUNDS.—The eligible entity may
20 provide the matching funds in cash or in kind, fairly
21 evaluated, including plant, equipment, or services,
22 but may not provide more than 50 percent of the
23 matching funds in kind. The eligible entity may pro-
24 vide the matching funds from State, local, or private
25 sources, or Federal sources under the Elementary

1 and Secondary Education Act of 1965 (20 U.S.C.
2 6301 et seq.).

3 **SEC. 9. NATIONAL ACTIVITIES.**

4 (a) TECHNICAL ASSISTANCE AND SUPPORT.—

5 (1) IN GENERAL.—The Secretary is authorized
6 to provide, directly or by entering into a contract
7 with an independent organization, technical assist-
8 ance to State educational agencies, eligible entities,
9 including eligible entities receiving grants under sec-
10 tion 8, local educational agencies, and schools in de-
11 veloping and implementing expanded learning time
12 initiatives under this Act.

13 (2) PROVISION OF ASSISTANCE.—The Secretary
14 or such organization shall provide technical assist-
15 ance that shall include—

16 (A) assisting State educational agencies
17 (and eligible entities receiving grants under sec-
18 tion 8, at the election of the Secretary) with de-
19 veloping expanded learning time initiatives; and

20 (B) identifying and disseminating informa-
21 tion about eligible entities, local educational
22 agencies, and schools that have effectively
23 planned and implemented expanded learning
24 time initiatives, including schools that have im-
25 plemented such initiatives to improve student

1 academic achievement in schools that previously
2 had not made adequate yearly progress under
3 section 1111(b)(2) of the Elementary and Sec-
4 ondary Education Act of 1965 (20 U.S.C.
5 6311(b)(2)) for 2 or more years.

6 (b) EVALUATION AND DISSEMINATION.—

7 (1) IN GENERAL.—The Secretary shall enter
8 into a contract with an independent organization
9 with expertise in school improvement, program eval-
10 uation, and measurement (such as an institution of
11 higher education or other research organization) to
12 assist with the provision of the technical assistance,
13 and conduct the evaluation and analyses, described
14 in this subsection.

15 (2) TECHNICAL ASSISTANCE ON DATA COLLEC-
16 TION AND MEASURES.—

17 (A) IN GENERAL.—The independent orga-
18 nization shall provide technical assistance to
19 State educational agencies and eligible entities
20 receiving funds under this Act with data collec-
21 tion and analysis of the measures consisting
22 of—

23 (i) measures of student academic
24 achievement and student engagement and

1 success, including the indicators and other
2 measures described in section 5(d)(4);

3 (ii) measures of teacher collaboration
4 and professional planning; and

5 (iii) detailed measures of the amount
6 of time devoted to core academic subjects
7 and additional subjects and enrichment ac-
8 tivities.

9 (B) SPECIAL RULE FOR ELIGIBLE ENTI-
10 TIES RECEIVING GRANTS UNDER SECTION 8.—

11 If an eligible entity receives a grant under sec-
12 tion 8, the eligible entity shall establish meas-
13 ures in lieu of the measures described in sub-
14 paragraph (A) to assess the success of the eligi-
15 ble entity and schools receiving funds through
16 the eligible entity under this Act.

17 (3) REPORT.—

18 (A) IN GENERAL.—The independent orga-
19 nization shall prepare a report that shall in-
20 clude the evaluation described in subparagraph
21 (B), including the analyses described in sub-
22 paragraph (C), and the analyses described in
23 subparagraph (D).

24 (B) EVALUATION.—The independent orga-
25 nization shall conduct an evaluation of the im-

1 pact and implementation of the program funded
2 under this Act, which evaluation shall rely in
3 part on the reports prepared by States under
4 section 5(d)(4) and eligible entities pursuant to
5 sections 7(g) (including reports described in
6 section 8(e)).

7 (C) CONTENTS.—In conducting the evalua-
8 tion, the independent organization shall conduct
9 an analysis of the impact of the expanded learn-
10 ing time initiatives funded under this Act, by
11 analyzing data on the measures described in
12 paragraph (2) and other appropriate measures
13 for students participating in expanded learning
14 time initiatives in all expanded learning time
15 schools, with results from that analysis
16 disaggregated by expanded school day, ex-
17 panded school week, or expanded school year
18 program, as appropriate.

19 (D) ANALYSES.—The independent organi-
20 zation shall conduct—

21 (i) a comparative analysis of how vari-
22 ation in school design, instructional prac-
23 tices, and other conditions influence the
24 success of the implementation of the ex-
25 panded learning time initiatives;

1 (ii) a comparative analysis of the con-
2 ditions and activities that impact the plan-
3 ning and implementation of the expanded
4 learning time initiatives, including teaching
5 and leadership practices at a school, stu-
6 dent and teacher schedules, the additional
7 costs of operating an expanded learning
8 time school, how the additional school
9 hours required for the initiative involved
10 are used to enhance teaching and learning,
11 and how external organizations are utilized
12 for the initiative;

13 (iii) an analysis of the similarities and
14 differences in the ways in which schools
15 implemented an expanded school day, ex-
16 panded school week, or expanded school
17 year schedule; and

18 (iv) any other analysis requested by
19 the Secretary.

20 (4) DISSEMINATION.—The independent organi-
21 zation shall submit the report described in para-
22 graph (3) to Congress and the Secretary, and dis-
23 seminate the report to the general public. The Sec-
24 retary shall ensure that the report described in para-
25 graph (3) is provided to eligible entities and local

1 educational agencies on a periodic basis for use in
2 improving initiatives.

3 **SEC. 10. CONSTRUCTION.**

4 Nothing in this Act shall be construed to alter or oth-
5 erwise affect the rights, remedies, and procedures afforded
6 to the employees of local educational agencies under Fed-
7 eral, State, or local law (including applicable regulations
8 or court orders) or under the terms of collective bar-
9 gaining agreements, memoranda of understanding, or
10 other agreements between such employees and their em-
11 ployers.

12 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

13 There are authorized to be appropriated to carry out
14 this Act \$350,000,000 for fiscal year 2010, \$380,000,000
15 for fiscal year 2011, \$420,000,000 for fiscal year 2012,
16 \$460,000,000 for fiscal year 2013, and \$500,000,000 for
17 fiscal year 2014.

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